

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANTHONY PRISCO,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	NO. 10 - 3141
	:	
METHODIST HOSPITAL and THOMAS	:	
JEFFERSON UNIVERSITY	:	
HOSPITALS, INC.,	:	
	:	
Defendants.	:	
	:	

O R D E R

AND NOW, this 1st day of April 2011, upon consideration of Defendants' Motion to Dismiss in Part the First Amended Complaint (Document No. 12, filed October 15, 2010), Plaintiff's Response to in Opposition to Defendants' Motion to Dismiss in Part His First Amended Complaint (Document No. 13, filed October 22, 2010), and Defendants' Reply Brief in Support of Their Motion to Dismiss in Part the Amended Complaint (Document No. 14, filed November 3, 2010), for the reasons set forth in the Memorandum dated April 1, 2011, **IT IS ORDERED** that defendants' Motion to Dismiss in Part the First Amended Complaint is **GRANTED IN PART AND DENIED IN PART**, as follows:

1. The part of defendants' motion which seeks dismissal of Count IV of the Complaint is **GRANTED WITHOUT PREJUDICE** to plaintiff's right to file an Amended Complaint within

twenty days of the entry of this Order if warranted by the facts; and

2. Defendants' motion is **DENIED** in all other respects.

BY THE COURT:

/s/ Hon. Jan E. DuBois
JAN E. DUBOIS, J.